

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Request for Approval of Final Master Plan and Developer's Commitment Agreement for Mikler/Chapman PUD. (Bill Rigsby/Whitemark Homes, applicant.)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Donald Fisher **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 9/09/03 **Regular** ☒ **Consent** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

1. APPROVE the Final Master Plan and Developer's Commitment Agreement for Mikler/Chapman PUD and authorize the Chairman to execute same; located on the northeast corner of Mikler Road and Chapman Road, based on staff findings (Bill Rigsby, applicant); or
2. DENY the Final Master Plan and Developer's Commitment Agreement for Mikler/Chapman PUD; located on the northeast corner of Mikler Road and Chapman Road, (Bill Rigsby, applicant); or
3. CONTINUE the public hearing until a time and date certain.
- 4.

(District 1 – Comm. Maloy)

(Jeff Hopper, Senior Planner)

BACKGROUND:

The applicant requests approval of the Final Master Plan and Developer's Commitment Agreement for Mikler/Chapman PUD in order to develop 77 single family homes on a 46-acre site.

The Board approved the Preliminary Master Plan for the project on June 24, 2003. The zoning approval permitted minimum size lots of 50 feet in width and 5,500 square feet in size, with lots abutting Chapman Road east of the project entrance at least 70 feet in width. Double frontage lots will be closed off from direct access to Mikler and Chapman Roads by a 6-foot brick or masonry wall. Recreational amenities in the development will include a walking trail and gazebo adjacent to a 17-acre water feature.

STAFF RECOMMENDATION:

Staff finds that the proposed Master Plan and Developer's Commitment Agreement are consistent with the Preliminary Master Plan and approved Development Order, and the Vision 2020 Plan. Therefore, staff is recommending approval of the Final Master Plan and Developer's Commitment Agreement.

Reviewed by:	<u>KCC</u>
Co Atty:	<u>KCC</u>
DFS:	<u>MW</u>
OTHER:	<u>JS</u>
DCM:	<u>JS</u>
CM:	<u>JS</u>
File No.	<u>rpdp02</u>

PLAN SHEET INDEX

SHEET	DESCRIPTION
1	COVER SHEET
2	OVERALL FINAL MASTER PLAN
3	FINAL MASTER PLAN NORTH
4	FINAL MASTER PLAN SOUTH
5	FORCE MAIN EXTENSION PLAN
6	BOUNDARY AND TOPOGRAPHIC SURVEY

PUD FINAL MASTER PLAN

FOR

MIKLER LAKE SUBDIVISION

PROJECT DIRECTORY

OWNER:	CURTIS A. STONE 1935 MIKLER ROAD OMEDO, FL 32765
DEVELOPER:	WHITEMARK HOMES 650 SOUTH CENTRAL AVENUE SUITE 1000 OMEDO, FL 32765 TELEPHONE: (407) 368-9688 FAX: (407) 366-9688 CONTACT: BILL RIGSBY
CIVIL ENGINEER:	MELUCH-BLENDE ENGINEERING, INC. 1177 LOUISIANA AVENUE SUITE 111 WINTER PARK, FLORIDA 32789 TELEPHONE: (407) 647-4040 FAX: (407) 647-4074
SURVEYOR:	BENCHMARK SURVEYING & MAPPING CONSULTANTS, INC. P.O. BOX 771065 WINTER GARDEN, FLORIDA 34777-1065 TELEPHONE: (407) 654-6183 FAX: (407) 654-6184

Property Description

The East half of Lot 75 and all of Lot 72 of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31 East, according to the Plat thereof as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida, LESS the South 300 feet of the East half of Lot 75 of Slavia Colony Co.'s Subdivision and LESS that portion of the East half of Lot 75 and Lot 72 of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31, Plat Book 2, Page 71, Public Records of Seminole County, Florida, lying North and West of the right-of-way line of that certain drainage canal known as the Bear Gully's Canal, together with that portion of the East 1/2 of vacated street lying West of and adjacent to said Lot 72 also together with that portion of the West 1/2 of vacated street lying East of and adjacent to that portion of said Lot 75, described above.

AND

Lots 71, 73 and 74 of Slavia Colony Co.'s Subdivision as recorded in Plat Book 2 on Page 71 of the Public Records of Seminole County, Florida, together with that portion of the East 2 of 1/2 vacated street lying West of and adjacent to said Lot 73, LESS the portion thereof conveyed to Seminole County, a political subdivision of the State of Florida, by virtue of that Special Warranty Deed, dated April 17, 1991 and recorded May 7, 1991 in Official Records Book 2291, Page 1587, public Records of Seminole County, Florida.

AND Less the following described property

For a Point of Reference, commence at the Southeast Corner of the Southwest V4 of said Section 20; thence South 89°08'34" West along the South line of said Section 20 (Basis of Bearings), a distance of 1331.49 feet; thence North 00°59'08" West a distance of 15.00 feet to the Southeast corner of said Lot 74; Thence South 89°08'34" West along the South line of said Lot 74, a distance of 323.82 feet to the Westerly Right-of-Way of the Seminole County Expressway and the Point of Beginning of the herein described parcel; thence continue South 89°08'34" West a distance of 350.00 feet; thence North 00°59'08" West a distance of 350.00 feet; thence North 89°08'34" East a distance of 598.57 feet to the said Westerly Right-of-Way line; thence along said Westerly right-of-way line, the following three courses: Thence South 17°48'37" West, a distance of 274.27 feet; thence South 89°08'22" West a distance of 160.01 feet, thence South 00°51'38" East a distance of 90.15 feet to the said Point of Beginning

AND LESS the following described property

A tract or parcel of land lying in a portion of Section 20, Township 21 South, Range 31 East, Seminole County, Florida, being more particularly described as follows:

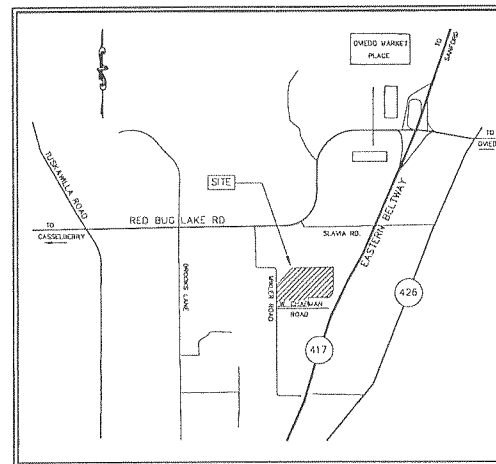
Commence at the Southwest corner for Section 20 and run North 01°02'38" West along the West line for Section 20, a distance of 15.00 feet to a point on the North right-of-way line for Hurban Road, (15 foot plotted right-of-way); thence run North 89°08'34" East along said right-of-way line a distance of 15.00 feet to the Point of Beginning; thence North 01°02'38" West parallel with the West line for Section 20, a distance of 15.00 feet; thence North 89°08'34" East parallel with the South line for Hurban Road a distance of 642.90 feet; thence South 00°59'08" East a distance of 15.00 feet to a point on aforesaid North right-of-way line for Hurban Road; thence South 89°08'34" West along said right-of-way line a distance of 642.86 feet to the Point of Beginning.

Said tract or parcel also being a portion of Lot 73 of Slavia Colony Company Subdivision as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida.

TOGETHER WITH the following described property

The South 300 feet of the East one-half of Lot 75 and West one-half of vacated street adjacent on the East side of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31 East, according to the Plat thereof as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida, LESS the South 15 feet thereof.

PREPARED FOR:
WHITEMARK HOMES



VICINITY MAP
NOT TO SCALE

SITE DATA

GENERAL	
CURRENT USE	RESIDENTIAL
CURRENT ZONING	PUD
PROPOSED USE	SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING	PUD
GROSS LAND AREA	45.85 AC. ±
WETLAND AREA	7.25 AC. ±
CHAPMAN ROAD DEDICATION	0.13 AC. ±
MIKLER ROAD DEDICATION	0.18 AC. ±
NET LAND AREA	38.08 AC. ±
RESIDENTIAL DATA	
PROPOSED RESIDENTIAL UNITS	77
PROPOSED DENSITY (UNITS/AC)	2.02 DU/AC
PROPOSED DENSITY (NET W/ .8 FACTOR)	2.53 DU/AC
OPEN SPACE REQUIRED 1	11.48 AC.
OPEN SPACE PROVIDED	28.08 AC.
TYPICAL LOT SIZE (LOTS 1-70)	567 ± 110'
TYPICAL LOT SIZE (LOTS 71-77)	707 ± 110'
RESIDENTIAL BUILDING SETBACKS	
FRONT	30'
SIDE	5' (10' LOTS 71-77)
STREET BOX	15'
REAR	20'
ACCESSORY STRUCTURE SETBACKS	
SIDE	5'
STREET BOX	15'
REAR	10'
POOL SETBACKS	
SIDE	7'
REAR	10'
POOL ENCLOSURE SETBACKS	
SIDE	5'
STREET BOX	15'
REAR	10'
MINIMUM LOTWIDE AREA	1,000 S.F. ±
MINIMUM BUILDING HEIGHT	10' ± (5' STORY)
PROJECTED SCHOOL AGE POPULATION	231 CHILDREN (3 PER LOT)
PROJECTED TRAFFIC IMPACT	170 A.D.T. (10 THURS PER DAY PER LOT)
PROJECTED WATER DEMAND	28,850 G.P.D.
PROJECTED SANITARY FLOW	23,190 G.P.D.

SERVICE PROVIDERS

WATER	SEMINOLE COUNTY
SEWER	SEMINOLE COUNTY
SOLID WASTE	LOCAL FRANCHISE
STREET LIGHTING	U.S.T.U.
POWER	SEMINOLE COUNTY FIRE DEPT.
PHONE	SEMINOLE COUNTY SHERIFF DEPT.

RECEIVED
AUG 18 2003

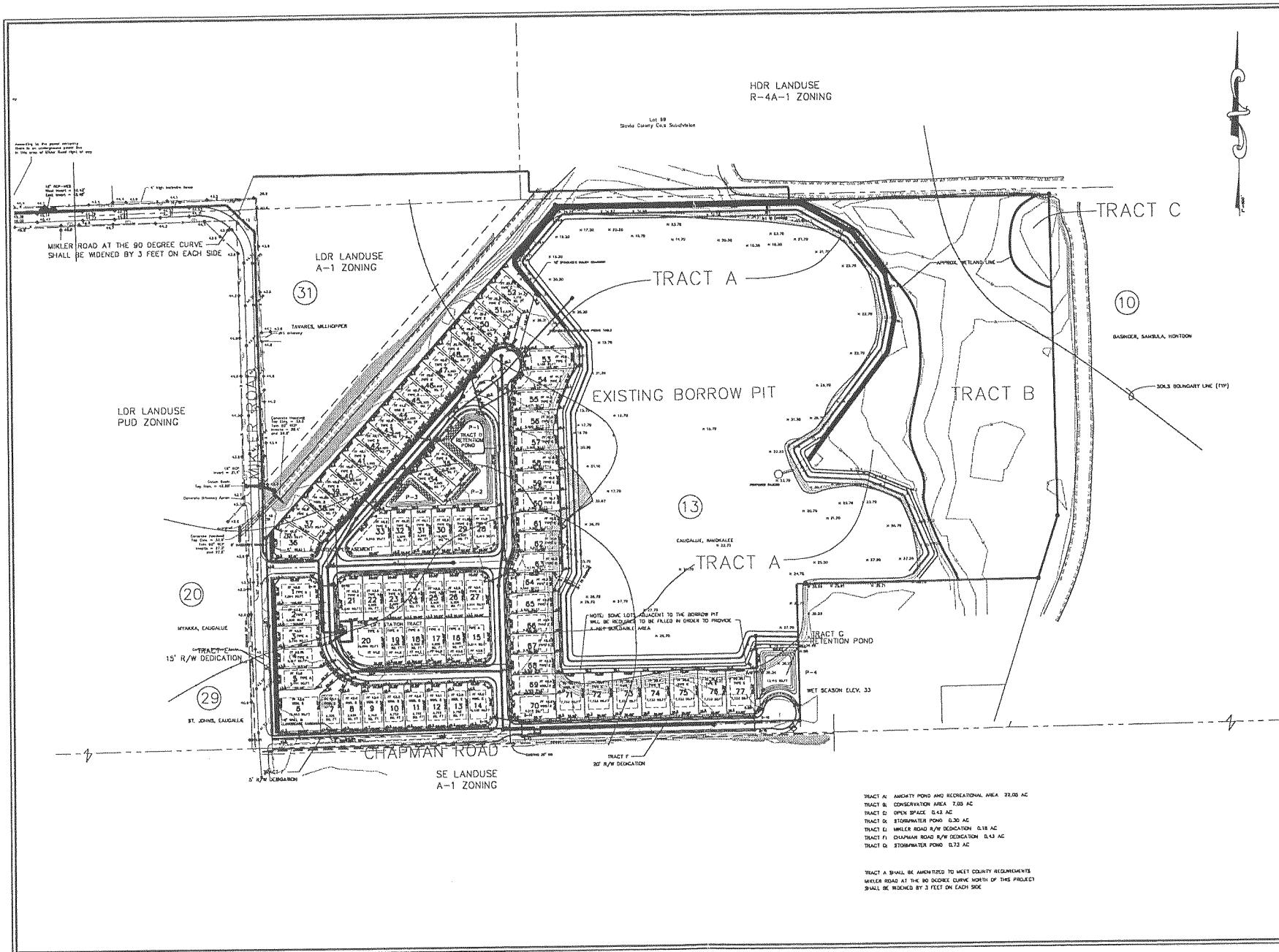
SENE MULLICH P.E. NO. 36733
BOB BLENDE P.E. NO. 34728
JOB No. 03-501



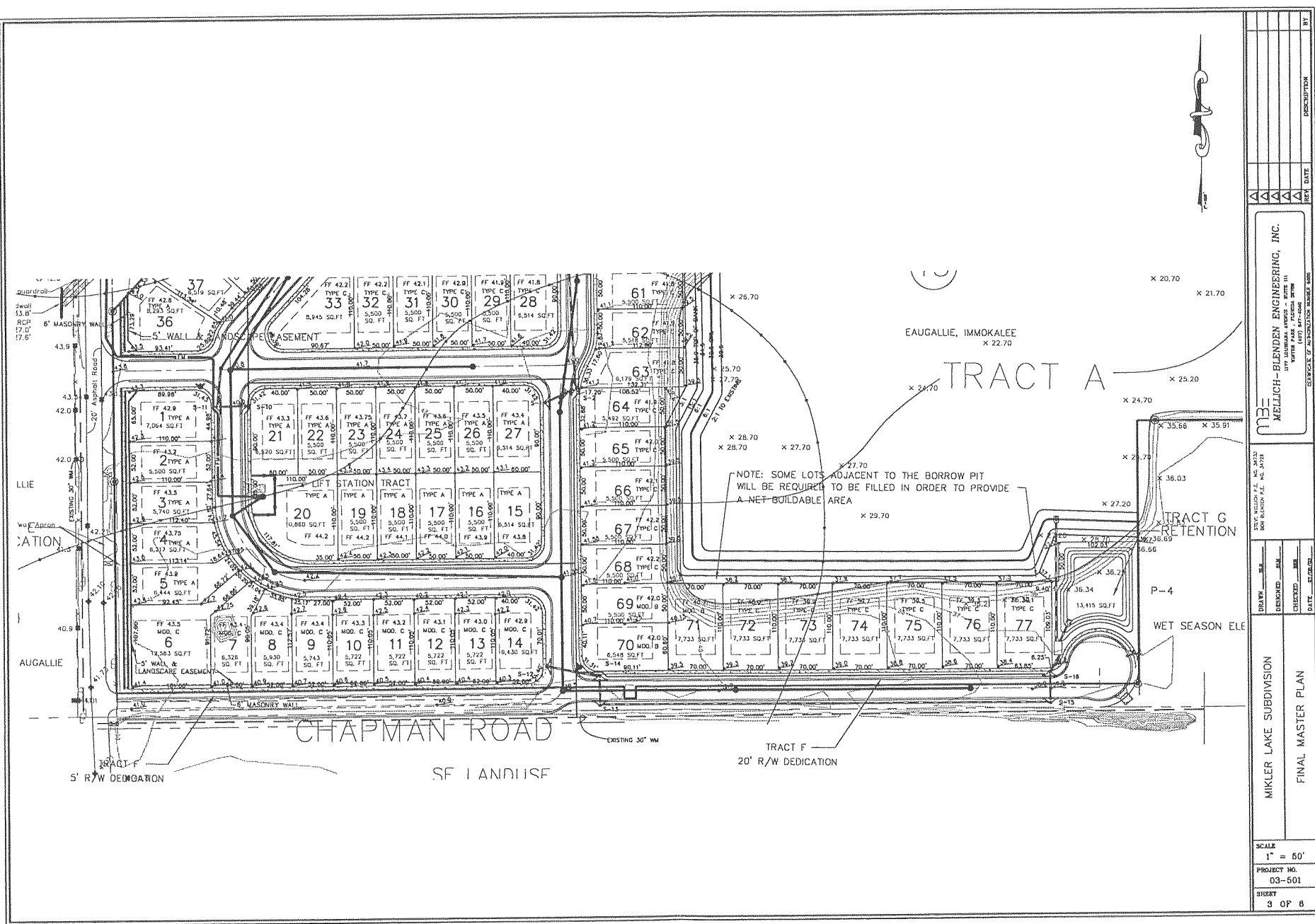
NOTE: STORM WATER MANAGEMENT FOR THIS PROJECT SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF SEMINOLE COUNTY AND THE ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT

NOTE: The subject property is within Zone X, area determined to be outside the 500-year floodplain, according to the National Flood Insurance Rate Map Number 121720015C, dated April 17, 1995, with the exception of a small area along Bear Gully Canal. The area is within Zone A, special flood hazard area inundated by 100-year flood.

JOB No. 03-501



DRAWN		DATE	DESCRIPTION
DESIGNED		DATE	DESCRIPTION
CHECKED		DATE	DESCRIPTION
DATE		DESCRIPTION	
MICHELLE-BLENDEEN ENGINEERING, INC. 1111 14TH AVE. S.W. SEASIDE, CA 92082 (619) 441-1040 FAX (619) 441-1041			
STATE OF CALIFORNIA COUNTY OF SAN DIEGO CITY OF SAN DIEGO PROJECT NO. 03-501 SHEET 2 OF 6			

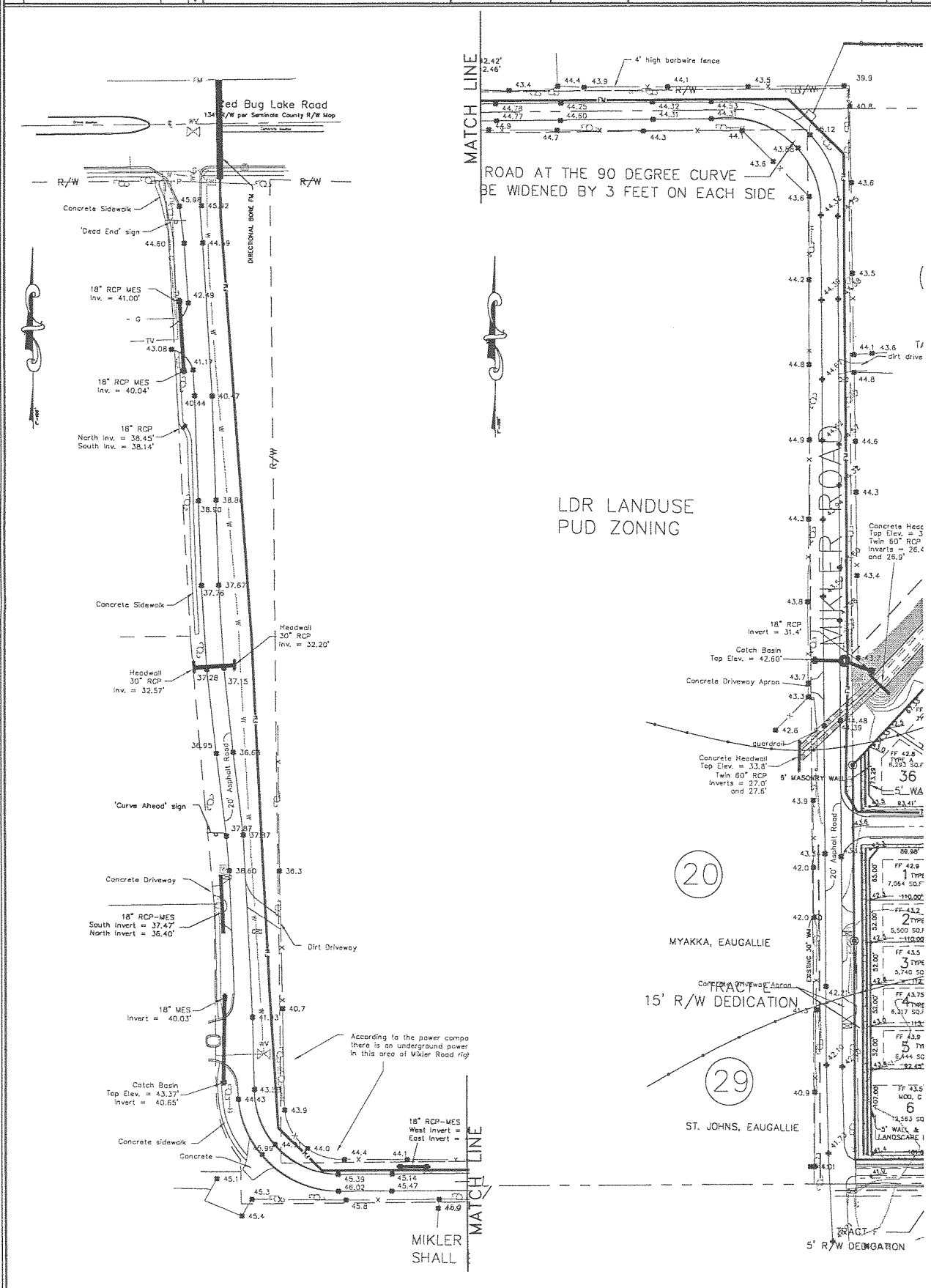


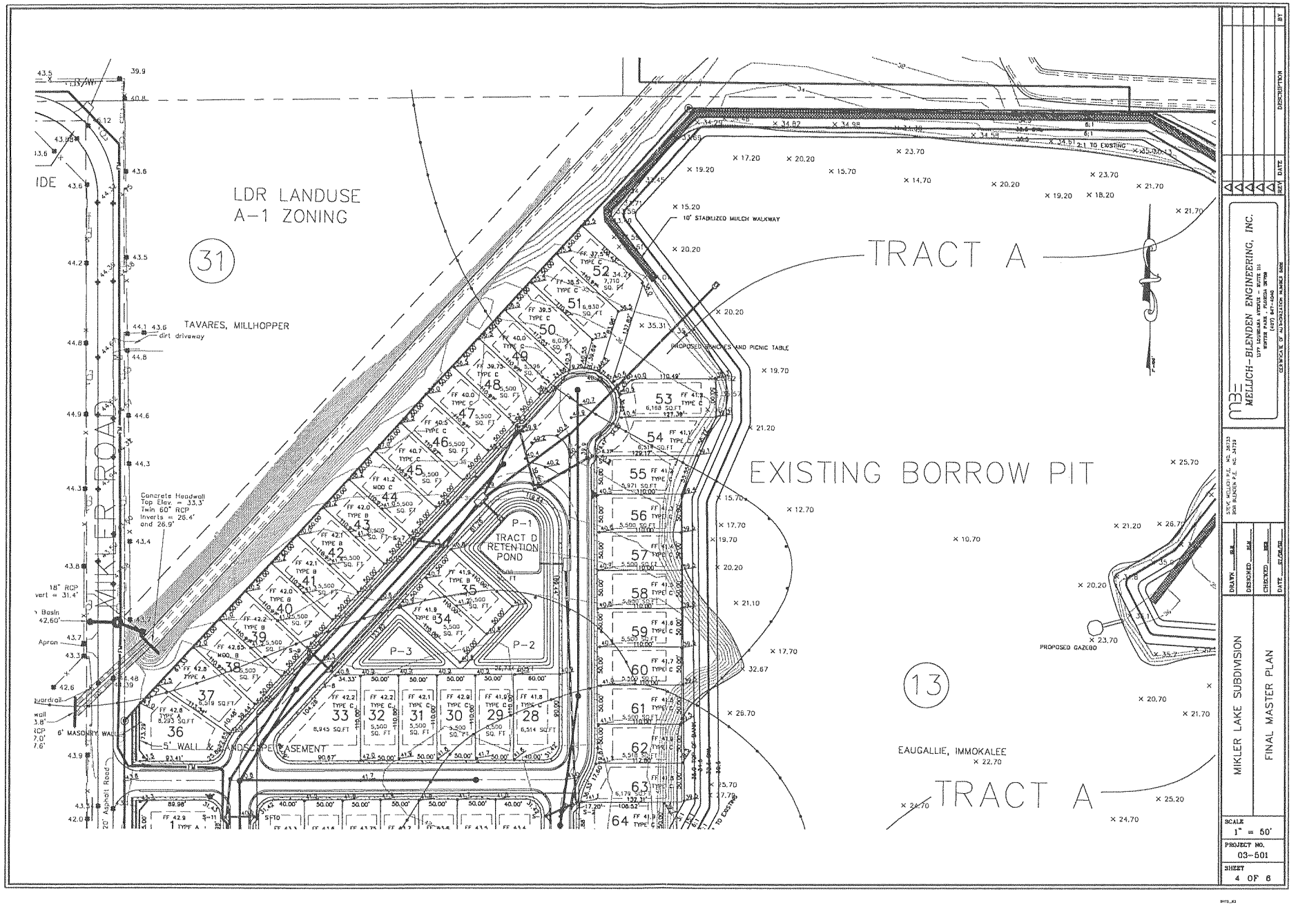
SCALE 1" = 50'		
PROJECT NO. 03-501		
SHEET 3 OF 8		
FINAL MASTER PLAN		
DESIGNED [Signature]	CHECKED [Signature]	
DATE 07/26/01	DATE 07/26/01	
MIKLER LAKE SUBDIVISION		
REVISIONS		
NO.	DATE	DESCRIPTION
1	07/26/01	PRELIMINARY
2	07/26/01	FINAL
3	07/26/01	FINAL
4	07/26/01	FINAL
5	07/26/01	FINAL
6	07/26/01	FINAL
7	07/26/01	FINAL
8	07/26/01	FINAL
9	07/26/01	FINAL
10	07/26/01	FINAL
11	07/26/01	FINAL
12	07/26/01	FINAL
13	07/26/01	FINAL
14	07/26/01	FINAL
15	07/26/01	FINAL
16	07/26/01	FINAL
17	07/26/01	FINAL
18	07/26/01	FINAL
19	07/26/01	FINAL
20	07/26/01	FINAL
21	07/26/01	FINAL
22	07/26/01	FINAL
23	07/26/01	FINAL
24	07/26/01	FINAL
25	07/26/01	FINAL
26	07/26/01	FINAL
27	07/26/01	FINAL
28	07/26/01	FINAL
29	07/26/01	FINAL
30	07/26/01	FINAL
31	07/26/01	FINAL
32	07/26/01	FINAL
33	07/26/01	FINAL
34	07/26/01	FINAL
35	07/26/01	FINAL
36	07/26/01	FINAL
37	07/26/01	FINAL
38	07/26/01	FINAL
39	07/26/01	FINAL
40	07/26/01	FINAL
41	07/26/01	FINAL
42	07/26/01	FINAL
43	07/26/01	FINAL
44	07/26/01	FINAL
45	07/26/01	FINAL
46	07/26/01	FINAL
47	07/26/01	FINAL
48	07/26/01	FINAL
49	07/26/01	FINAL
50	07/26/01	FINAL
51	07/26/01	FINAL
52	07/26/01	FINAL
53	07/26/01	FINAL
54	07/26/01	FINAL
55	07/26/01	FINAL
56	07/26/01	FINAL
57	07/26/01	FINAL
58	07/26/01	FINAL
59	07/26/01	FINAL
60	07/26/01	FINAL
61	07/26/01	FINAL
62	07/26/01	FINAL
63	07/26/01	FINAL
64	07/26/01	FINAL
65	07/26/01	FINAL
66	07/26/01	FINAL
67	07/26/01	FINAL
68	07/26/01	FINAL
69	07/26/01	FINAL
70	07/26/01	FINAL
71	07/26/01	FINAL
72	07/26/01	FINAL
73	07/26/01	FINAL
74	07/26/01	FINAL
75	07/26/01	FINAL
76	07/26/01	FINAL
77	07/26/01	FINAL
78	07/26/01	FINAL
79	07/26/01	FINAL
80	07/26/01	FINAL

DATE	10/10/00	PROJECT NO.	03-001	5' 0" 6'
CHECKED	BY	DESIGNED	BY	STREET
DRAWN	BY	MILKLER LAKE SUBDIVISION		
FORCE MAIN EXTENSION PLAN				

REVISION	DATE	DESCRIPTION
1	10/10/00	INITIAL DESIGN
2	10/10/00	REVISIONS
3	10/10/00	REVISIONS
4	10/10/00	REVISIONS
5	10/10/00	REVISIONS
6	10/10/00	REVISIONS
7	10/10/00	REVISIONS
8	10/10/00	REVISIONS
9	10/10/00	REVISIONS
10	10/10/00	REVISIONS

MELICH-BLENDEN ENGINEERING, INC.	
(EST. 1971) 1000 S. 10TH AVE. SUITE 100, DENVER, CO 80202	
TEL: 303-733-1111 FAX: 303-733-1112	





PLAN SHEET INDEX

SHEET	DESCRIPTION
1	COVER SHEET
2	OVERALL FINAL MASTER PLAN
3	FINAL MASTER PLAN NORTH
4	FINAL MASTER PLAN SOUTH
5	FORCE MAIN EXTENSION PLAN
6	BOUNDARY AND TOPOGRAPHIC SURVEY

PUD FINAL MASTER PLAN

FOR

MIKLER LAKE SUBDIVISION

PROJECT DIRECTORY

OWNER:	CURTIS A. STONE 1905 MIKLER ROAD OWEDO, FL 32765
DEVELOPER:	WHITEMARK HOMES 650 SOUTH CENTRAL AVENUE SUITE 1000 OWEDO, FL 32765 TELEPHONE: (407) 366-9688 FAX: (407) 366-9688 CONTACT: BILL RIGSBY
CIVIL ENGINEER:	MELLOY-BLENDE ENGINEERING, INC. 1177 LOUISIANA AVENUE SUITE 111 WINTER PARK, FLORIDA 32789 TELEPHONE: (407) 647-4040 FAX: (407) 647-4074
SURVEYOR:	BENCHMARK SURVEYING & MAPPING CONSULTANTS, INC. P.O. BOX 771055 WINTER GARDEN, FLORIDA 34777-1055 TELEPHONE: (407) 654-6183 FAX: (407) 654-6184

Property Description

The East half of Lot 75 and all of Lot 72 of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31 East, according to the Plat thereof as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida, LESS the South 300 feet of the East half of Lot 75 of Slavia Colony Co.'s Subdivision and LESS that portion of the East half of Lot 75 and Lot 72 of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31, Plat Book 2, Page 71, Public Records of Seminole County, Florida, lying North and West of the right-of-way line of that certain drainage canal known as the Bear Gulch Canal, together with that portion of the East 1/2 of vacated street lying West of and adjacent to said Lot 72 also together with that portion of the West 1/2 of vacated street lying East of and adjacent to that portion of said Lot 75, described above.

AND

Lots 71, 73 and 74 of Slavia Colony Co.'s Subdivision as recorded in Plat Book 2 on Page 71 of the Public Records of Seminole County, Florida, together with that portion of the East 2 of 1/2 vacated street lying West of and adjacent to said Lot 73, LESS the portion thereof conveyed to Seminole County, a political subdivision of the State of Florida, by virtue of that Special Warranty Deed, dated April 17, 1991 and recorded May 7, 1991 in Official Records Book 2291, Page 1587, public Records of Seminole County, Florida.

AND Less the following described property

For a Point of Reference, commence at the Southeast Corner of the Southwest V4 of said Section 20; thence South 89°08'34" West along the South line of said Section 20 (Basis of Bearings), a distance of 1331.49 feet; thence North 00°59'08" West a distance of 15.00 feet to the Southeast corner of said Lot 74; thence South 89°08'34" West along the South line of said Lot 74, a distance of 323.62 feet to the Westerly Right-of-Way of the Seminole County Expressway and the Point of Beginning of the herein described parcel; thence continue South 89°08'34" West a distance of 350.00 feet; thence North 00°59'08" West a distance of 350.00 feet; thence North 89°08'34" East a distance of 598.57 feet to the said Westerly Right-of-Way line; thence along said Westerly right-of-way line, the following three courses: Thence South 17°48'37" West, a distance of 274.27 feet; thence South 89°08'22" West a distance of 160.01 feet, thence South 00°51'38" East a distance of 90.15 feet to the said Point of Beginning

AND LESS the following described property

A tract or parcel of land lying in a portion of Section 20, Township 21 South, Range 31 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Southwest corner for Section 20 and run North 01°02'38" West along the West line for Section 20, a distance of 15.00 feet to a point on the North right-of-way line for Hurban Road, (15 foot platted right-of-way), thence run North 89°08'34" East along said right-of-way line a distance of 15.00 feet to the Point of Beginning; thence North 01°02'38" West parallel with the West line for Section 20, a distance of 15.00 feet; thence North 89°08'34" East parallel with the South line for Hurban Road a distance of 642.90 feet; thence South 00°59'08" East a distance of 15.00 feet to a point on aforesaid North right-of-way line for Hurban Road; thence South 89°08'34" West along said right-of-way line a distance of 642.86 feet to the Point of Beginning.

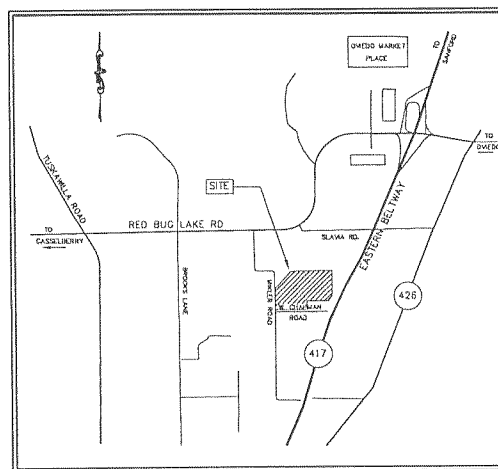
Said tract or parcel also being a portion of Lot 73 of Slavia Colony Company Subdivision as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida.

TOGETHER WITH the following described property

The South 300 feet of the East one-half of Lot 75 and West one-half of vacated street adjacent on the East side all of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31 East, according to the Plat thereof as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida, LESS the South 15 feet thereof.



PREPARED FOR: WHITEMARK HOMES



VICINITY MAP
NOT TO SCALE

NOTE: STORM WATER MANAGEMENT FOR THIS PROJECT SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF SEMINOLE COUNTY AND THE ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT

NOTE: The subject property is within Zone II, as determined to be suitable for 200-year floodplain, according to the National Flood Insurance Risk Zone Number 191100002 E, dated April 17, 1985, with the exception of a small area along Bear Gulch Canal. This area is within Zone A, Special Flood Hazard Area, designated by 100-year flood.

SITE DATA

GENERAL:	
CURRENT USE:	RESIDENTIAL, PUD
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING:	PUD
OWED LAND AREA:	45.85 AC. ±
OWED LAND AREA:	7.25 AC. ±
OWED LAND AREA:	0.43 AC. ±
OWED LAND AREA:	0.18 AC. ±
OWED LAND AREA:	36.28 AC. ±
RESIDENTIAL DATA:	
PROPOSED RESIDENTIAL UNITS:	77
PROPOSED DENSITY (DENSE):	2.32 DU/AC
PROPOSED DENSITY (NET W/ & FACTORS):	2.33 DU/AC
OPEN SPACE REQUIRED:	11.48 AC.
OPEN SPACE PROVIDED:	28.26 AC.
TYPICAL LOT SIZE (LOT 1-75):	367' x 110'
TYPICAL LOT SIZE (LOT 71-77):	707' x 110'
RESIDENTIAL BUILDING SETBACKS:	
FRONT:	30'
REAR:	5' (LOT 71-77)
STREET BOX:	15'
REAR:	30'
ACCESSORY STRUCTURE SETBACKS:	
FRONT:	5'
REAR:	15'
POOL SETBACKS:	
FRONT:	5'
REAR:	5'
POOL, ENCLOSURE SETBACKS:	
FRONT:	5'
REAR:	5'
MINIMUM LOT AREA:	1,800 SQ. FT.
MINIMUM BUILDING HEIGHT:	30' (2 STORY)
PROJECTED SOIL LOSS AND POPULATION:	2.31 CHILDREN (3 PER LOT)
PROJECTED TRAFFIC IMPACT:	770 A.D.T. (10 TRIPS PER DAY PER LOT)
PROJECTED WATER DEMAND:	PLUMBING
PROJECTED RAIN, SEWER FLOW:	23,100 G.P.D.

SERVICE PROVIDERS

WATER:	SEMINOLE COUNTY
SEWER:	SEMINOLE COUNTY
SOILS/PAVING:	LOCAL FIRM/ENGINEER
STREET LIGHTING:	M.T.L.
PAVING:	SEMINOLE COUNTY FIRE DEPT.
POLELINE:	SEMINOLE COUNTY FIRE DEPT.

STEVE MELLOY P.E. NO. 36733
BOB BLENDE P.E. NO. 34728

JOB No. 03-501

JOB No. 03-501

Lot 22
Duke Colony Co. Subdivision

31

(20)

15' R/W DEDICATION

(29)

27. JOHN E. CAULFIELD

~~CHAPMAN ROAD~~

SE LANDUSE
A-1 ZONING

-TRACT A

EXISTING BORROW PIT

TRACT B

TRACT C

10

BASINGER, LAMBDA, HONTDON

----- SOLID BOUNDARY LINE (TYP)

13

CAGALLIE, ANDRALEX
X 22 79

TRACT A

RETENTION POND

WET SEASON ELEV. 35

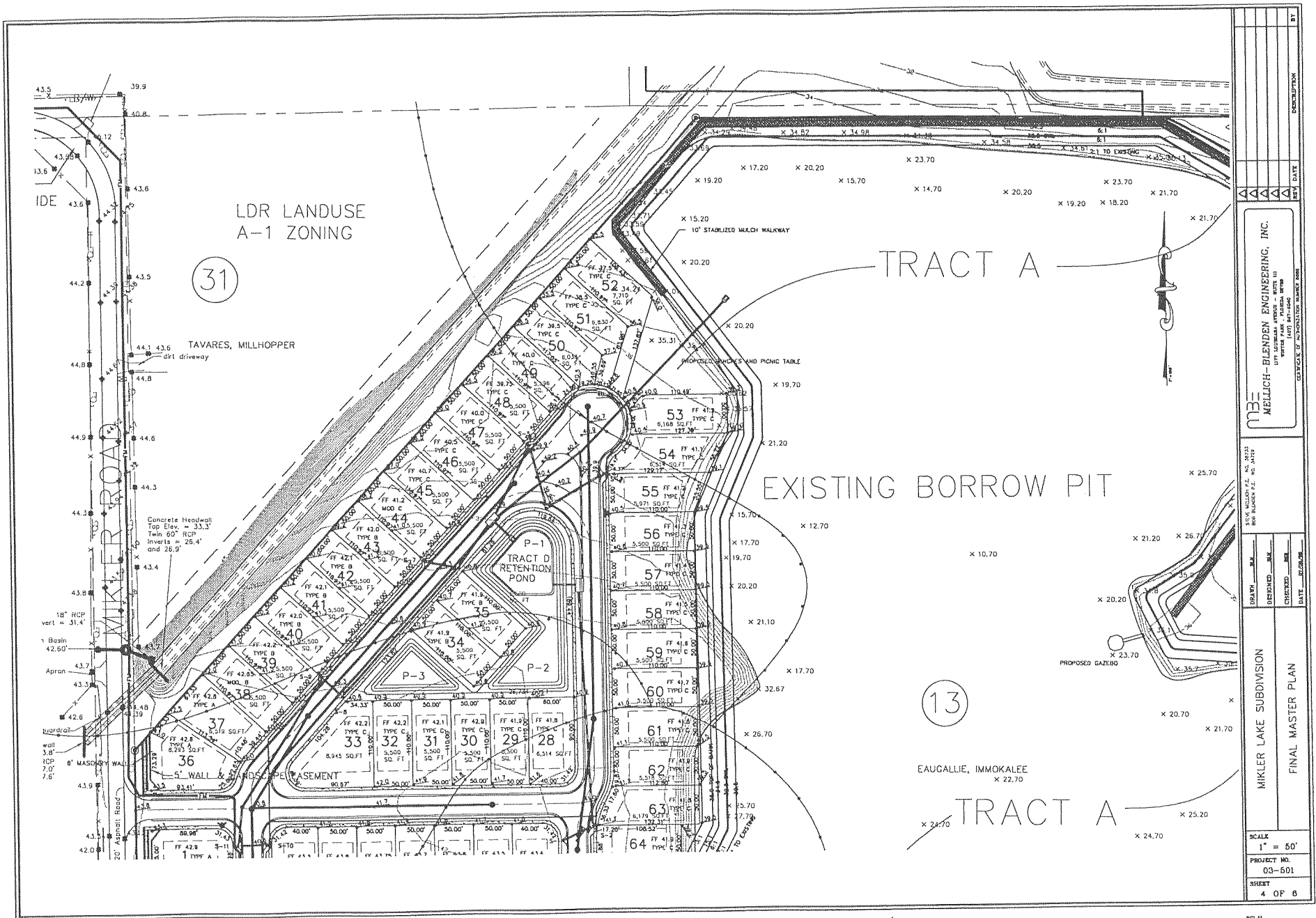
TRACT A SHALL BE ADJUSTED TO MEET COUNTY REQUIREMENTS
WHICH ROAD AT THE 90 DEGREE CURVE NORTH OF THIS PROJECT
SHALL BE WIDENED BY 5 FEET ON EACH SIDE

STEVE MELUCH P.E. NO. 34733
BOB BLINGER P.E. NO. 34729

MIKLER LAKE SUBDIVISION

FINAL MASTER PLAN

SCALE	1" = 100'
PROJECT NO.	03-501
SHEET	2 OF 8



**MIKLER LAKE SUBDIVISION PUD
DEVELOPER'S COMMITMENT AGREEMENT**

On September 9, 2003, the Board of County Commissioners of Seminole County, Florida issued this Developer's Commitment Agreement relating to and touching and concerning the following described property:

I. LEGAL DESCRIPTION

The legal description is attached hereto as Exhibit "A" (the "Property").

II. PROPERTY OWNER

The current property owners are Curtis A. Stone and Robert Conaway ("Owner").

III. STATEMENT OF BASIC FACTS

a. Total Acreage:	45.95 acres
b. Zoning:	Planned Unit Development
c. Number of lots:	77

V. LAND USE BREAKDOWN

Wetland Area	7.25 acres
Chapman & Mikler dedication	0.61 acres
Open Space	28.98 acres
Net Land Area	38.09 acres
Total	45.95 acres

VI. OPEN SPACE CALCULATIONS

Total Land Area:	45.95 acres
Open Space Required:	25% = $45.95 \times 0.25 = 11.49$ acres
Open Space Provided:	29.28 acres or 63.7%

VII. BUILDING SETBACKS

Residential Units	
front	20'*
side	5'
side street	15' all corner lots
rear	20'
* Where sidewalks are located in easements, there shall be at least a 20-foot distance as measured from the garage door to the nearest edge of the sidewalk.	

Accessory Buildings	
side	5'
side street	15' all corner lots
rear	10'

Swimming Pools	
side	7'
side street	15' all corner lots
rear	5'

Pool Screen Enclosures	
side	5'
side street	15' all corner lots
rear	3'

VIII. PERMITTED USES

Single family residential and customary accessory uses including home occupations

IX. LANDSCAPE & BUFFER CRITERIA

1. A 6-foot brick or masonry wall shall be provided along Mikler Road right-of-way.
2. A 6-foot brick or masonry wall shall be provided along Chapman Road west of the proposed entrance to the subdivision.

X. DEVELOPMENT COMMITMENTS

1. Lots abutting Chapman Road east of the subdivision entrance shall be no less than 70 feet in width with minimum side setbacks of 10 feet.
2. Interior lots shall be no less than 50 feet in width and 5,500 square feet in size.
3. Maximum building height shall be 35 feet.
4. Required building setbacks shall be as follows:

Residential Units	
front	20'*
side	5'
side street	15' all corner lots
rear	20'
* Where sidewalks are located in easements, there shall be at least a 20-foot distance as measured from the garage door to the nearest edge of the sidewalk.	

Accessory Buildings and Pool Screen Enclosures	
side	5'
side street	15' all corner lots
rear	10'

5. Minimum house size shall be 1,600 square feet.
6. The site shall include 25% usable common open space.
7. Maintenance of all Open Space shall be funded by the Owner.
8. No lots shall have direct access to Mikler Road or Chapman Road except for those not having frontage on internal streets. Double frontage lots shall have a 6-foot brick or masonry wall adjacent to the rear lot line.
9. Prior to Final Engineering approval, the developer shall provide documentation that Chapman Road has 45' of right-of-way from Mikler Road to the subdivision entrance. Otherwise, 20' of right-of-way shall be dedicated along the entire property frontage on Chapman Road. This dedication may be done at the time of platting.
10. Platted lots shall be completely above the design high water line of the water feature.

XI. PUBLIC FACILITIES

The following conditions shall be met by the Owner prior to a certificate of occupancy being issued by Seminole County.

- A. **Water.** Water services shall be provided by the Seminole County Environmental Services water system. Design of lines shall conform to all Seminole County and Florida Department of Environmental Protection standards.
- B. **Sanitary Sewer.** Sanitary sewer shall be provided by the Seminole County Environmental Services treatment facilities. Design of lines shall conform to all Seminole County and Department of Environmental Protection standards.
- C. **Stormwater.** Stormwater drainage and stormwater management shall be provided according to Seminole County's and the St. Johns River Water Management District's stormwater regulations.
- D. **Fire Protection.** Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 600 gpm with 20 p.s.i. Fire hydrants shall be located according to Seminole County Regulations.

XII. Other Commitments

- A. Unless specifically addressed otherwise herein, all development shall fully comply with all codes and ordinances, including the impact fee ordinances, in effect in Seminole County at the time of permit issuance.
- B. The conditions upon which this Developer's Commitment Agreement and related commitments are made are accepted by and agreed to by the Owner of the Property.
- C. This Agreement touches and concerns the Property, and the conditions, commitments and provisions of this Agreement shall perpetually burden, run with and follow said Property and be a servitude upon and binding upon said Property unless released in whole or in part by action of Seminole County as evidenced in writing. The Owner of said Property

is expressly covenanted and agreed to this provision and all other terms and provisions of the Agreement.

- D. The terms and provisions of this Agreement are not severable, and in the event any portion of this Agreement shall be found to be invalid or illegal, then the entire Agreement shall be null and void.
- E. The development approval being sought is consistent with the Vision 2020 Plan and will be developed consistent with and in compliance with all applicable land development regulations and all other applicable regulations and ordinances.
- F. The Owners of the Property have expressly agreed to be bound by and subject to the development conditions and commitments set forth herein and hereby covenant and agree to have such conditions and commitments restrict, run with and perpetually burden the Property. The development conditions and commitments set forth herein shall not be the personal obligations of the Owner upon the legal transfer of the Property to a subsequent purchaser.

DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MaryAnne Morse
Clerk to the Board of County
Commissioners, Seminole
County, Florida

Daryl G. McLain
Chairman

As authorized for execution by the Board
of County Commissioners at their September 9,
2003 regular meeting.

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Curtis A. Stone, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Witness

CURTIS A. STONE

Print Name

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared CURTIS A. STONE, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Robert Conaway, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Developer's Commitment Agreement.

Witness

ROBERT CONAWAY

Print Name

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared ROBERT CONAWAY, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION

The East half of Lot 75 and all of Lot 72 of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31 East, according to the Plat thereof as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida, LESS the South 300 feet of the East half of Lot 75 of Slavia Colony Co.'s Subdivision and LESS that portion of the East half of Lot 75 and Lot 72 of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31, Plat Book 2, Page 71, Public Records of Seminole County, Florida, lying North and West of the right-of-way line at that certain drainage canal known as the Bear Gully's Canal, together with that portion of the East 1/2 of vacated street lying West of and adjacent to said Lot 72 also together with that portion of the West 1/2 of vacated street lying East of and adjacent to that portion of said Lot 75, described above.

AND

Lots 71, 73 and 74 of Slavia Colony Co.'s Subdivision as recorded in Plat Book 2 on Page 71 of the Public Records of Seminole County, Florida, together with that portion of the East 1/2 of the vacated street lying West of and adjacent to said Lot 73, LESS the portion thereof conveyed to Seminole County, a political subdivision of the State of Florida, by virtue of that Special Warranty Deed, dated April 17, 1991 and recorded May 7, 1991 in Official Records Book 2291, Page 1587, Public Records of Seminole County, Florida.

AND Less the following described property:

For a Point of Reference, commence at the Southeast Corner of the Southwest 1/4 of said Section 20; thence South 89°08'34" West along the South line of said Section 20 (Basis of Bearings), a distance of 1331.49 feet; thence North 00°59'08" West a distance of 15.00 feet to the Southeast corner of said Lot 74; Thence South 89°08'34" West along the South line of said Lot 74, a distance of 323.62 feet to the Westerly Right-of-Way of the Seminole County Expressway and the Point of Beginning of the herein described parcel; thence continue South 89°08'34" West a distance of 350.00 feet; thence North 00°59'08" West a distance of 350.00 feet; thence North 89°08'34" East a distance of 598.57 feet to the said Westerly Right-of- Way line; thence along said Westerly right-of -way line, the following three courses: Thence South 17°48'37" West, a distance of 274.27 feet; thence South 89°08'22" West a distance of 160.01 feet, thence South 00°51'38" East a distance of 90.15 feet to the said Point of Beginning.

AND LESS the following described property: A tract or parcel of land lying in a portion of Section 20, Township 21 South, Range 31 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Southwest corner for Section 20 and run North 01°02'38" West along the West line for Section 20, a distance of 15.00 feet to a point on the North right-of-way line for Hurban Road, (15 foot platted right-of-way); thence run North 89°08'34" East along said right-of-way line a distance of 15.00 feet to the Point of Beginning; thence North 01°02'38" West parallel with the West line for Section 20, a distance of 15.00 feet; thence North 89°08'34" East parallel with the South line for Hurban Road a distance of 642.90 feet; thence South 00°59'08" East a distance of 15.00 feet to a point on aforesaid North right-of-way line for Hurban Road; thence South 89°08'34" West along said right-of-way line a distance of 642.86 feet to the Point of Beginning. Said tract or parcel also being a portion of Lot 73 of Slavia Colony Company Subdivision as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida.

TOGETHER WITH the following described property:

The South 300 feet of the East one-half of Lot 75 and West one-half of vacated street adjacent on the East side all of Slavia Colony Co.'s Subdivision in Sections 19 and 20, Township 21 South, Range 31 East, according to the Plat thereof as recorded in Plat Book 2, Page 71 of the Public Records of Seminole County, Florida, LESS the South 15 feet thereof.